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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted in pursuance of Security Council resolution 999 (1995) of 16 June 1995, in which the Council requested me to report every three months on the progress towards national reconciliation and on the operations of the United Nations Mission of Observers in Tajikistan (UNMOT). It provides an account of the activities of my Special Envoy for Tajikistan and of UNMOT since my last report of 10 June (S/1995/472 and Corr.1 and Add.1).

II. NEGOTIATING PROCESS

2. The lack of progress in addressing the fundamental political problems during the fourth round of inter-Tajik negotiations at Almaty from 22 May to 1 June, about which I informed the Council in my previous report, as well as continued tension along the Tajik-Afghan border and inside Tajikistan, created a stalemate in the negotiating process and in the implementation of the confidence-building measures agreed upon at Almaty.

3. During the official visit of the President of the Republic of Tajikistan, Mr. Emomali Rakhmonov, to Tehran, the Government of the Islamic Republic of Iran mediated in arranging a meeting on 19 July between him and the leader of the Tajik opposition, Mr. Abdullo Nuri, in an effort to facilitate the inter-Tajik political dialogue. In the joint statement agreed upon as a result of the meeting, both sides confirmed their readiness to take concrete measures for the comprehensive implementation of the agreements that had been reached before and for the continuation of peaceful negotiations. They also agreed to establish a consultative forum of Tajik peoples to facilitate the finding of a solution to the political and social crisis in Tajikistan. It was decided that the modalities of the forum would be worked out during the fifth round of inter-Tajik talks.

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4. From 2 to 17 August, indirect talks were arranged between President Rakhmonov and Mr. Nuri. The negotiations were conducted through the good offices of my Special Envoy, Mr. Ramiro Píriz-Ballón, which required him to shuttle between Dushanbe and Kabul four times. The difficult negotiations concluded with the signing of a protocol on the fundamental principles for establishing peace and national accord in Tajikistan (S/1995/720, annex) by the two leaders at Dushanbe and Kabul.

5. In the protocol, the two sides agreed on the fundamental principles for a comprehensive political solution of the conflict and concluded that further negotiations should result in the signing of a general agreement on the establishment of peace and national accord in Tajikistan. The Government assumed the obligation to refrain from carrying out any acts that would run counter to the provisions of the protocols being concluded and from adopting laws or measures that might be incompatible with those protocols. The Tajik opposition, for its part, undertook to wage a political struggle by exclusively peaceful means, in accordance with the laws in force in Tajikistan and in conformity with the conditions and guarantees laid down in the general agreement.

6. The two sides agreed that the general agreement would consist of seven separate protocols on the following groups of problems: (a) fundamental principles for establishing peace and national accord; (b) political problems; (c) military problems; (d) repatriation and reintegration of refugees; (e) a commission on monitoring and control; (f) guarantees; and (g) a donor conference. By signing the first of these protocols, the President of Tajikistan and the leader of the opposition agreed on the main parameters of other clusters of problems that would be negotiated in the future.

7. During the negotiations, the two sides also agreed to extend the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts of 17 September 1994 (the "Tehran Agreement") (S/1994/1102, annex I) for another six months, until 26 February 1996.

8. The Tajik parties agreed with the proposal of my Special Envoy to modify the format of inter-Tajik negotiations. They were to resume in a continuous round beginning on 18 September 1995. However, the issue of the venue for the negotiations remains unresolved, thus threatening to interrupt the peace process. The Government of Tajikistan turned down the proposal of the opposition to hold the next round of negotiations at Tehran and in its turn suggested holding them at Ashkhabad or Moscow. In a meeting with me on 28 July, the Foreign Minister of Turkmenistan confirmed the interest of his Government in hosting the next round of inter-Tajik talks in his capital. However, the Tajik opposition, during the last round of consultations at Kabul, ruled out the possibility of holding them at Ashkhabad. In order to break the deadlock, my Special Envoy has suggested conducting the continuous negotiations at the United Nations premises at Vienna. In addition, the Government of Austria has generously offered to provide accommodation and logistic support to the two delegations. The opposition side has accepted this compromise proposal. In a letter dated 7 September addressed to me, Mr. Nuri did not exclude the possibility of holding some future negotiations at Ashkhabad and invited Turkmenistan to participate in the negotiating process as an observer country.

However, he firmly stated that the decisive stage of negotiations should take place in a neutral location - Vienna. He also reiterated the proposal of the opposition to consider Tehran or Almaty as possible reserve venues, if the Government rejected Vienna for some reason. On 8 September, my Special Envoy received a letter from President Rakhmonov in which he reiterated the position of his Government regarding Ashkhabad as the venue for continuous inter-Tajik talks. My Special Envoy is currently engaged in negotiations with the Tajik parties and others concerned in order to find a way out of the deadlock on the problem of venue.

III. MAINTENANCE OF THE CEASE-FIRE AND ACTIVITIES OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

9. The situation in Tajikistan continued to be relatively stable. UNMOT and the Joint Commission of the Tajik parties received 61 complaints of violations of the cease-fire agreement since my last report. The complaints submitted by the Government dealt mainly with cross-border infiltration of opposition fighters and their movement within Tajikistan. The complaints submitted by the opposition were mainly about the detention of persons without charge and their treatment while in detention. In most cases, however, investigation yielded very little evidence and it was not possible to confirm the facts.

10. The situation in Gorny Badakhshan remains complicated. In this autonomous province the authorities and the opposition forces coexist side by side. The latter move about openly, especially in the Vanj area, where the Islamic Revival Movement enjoys strong support, and in the southern part of the province, where the so-called self-defence forces operate; the latter have their headquarters in the provincial capital, Khorog. The opposition makes no secret of the fact that their fighters routinely cross the border between Afghanistan and Gorny Badakhshan. UNMOT has also received credible reports from various sources that, prior to the onset of winter, opposition commanders and their fighters have been redeploying in recent weeks from the area of Vanj to the central Karategin valley. Such redeployments, as well as the crossing of the border, are prohibited under the cease-fire agreement. UNMOT has not been able to determine the numbers involved, but they are judged to be relatively limited.

11. The task of guarding the border in Gorny Badakhshan falls mainly to the Russian border forces, augmented in certain areas by Tajik border forces. The Russian border forces are deployed along the Pyanj river and at the entrances of the valleys formed by its tributaries. The Tajik border forces have seen minor redeployments in June and July, which are also prohibited under the cease-fire agreement. One such redeployment occurred in June, when a unit was stationed near Rushan. This unit consists largely of personnel drawn from the self-defence forces, including its commander, and enjoys local support. Its deployment has had the effect of keeping the Rushan area quite calm.

12. Despite the proximity of the opposing forces to each other, there were no major clashes in Gorny Badakhshan. UNMOT teams in the area helped maintain contact between the sides and made every effort to minimize friction. On 17 August, an exchange of fire occurred in Khorog between the Russian border

forces and the self-defence forces. The UNMOT team in Khorog intervened and helped to end the incident.

13. From time to time, the Russian border forces fired shells or rockets across the Pyanj river into Afghanistan for the stated purpose of deterring opposition fighters or smugglers from crossing. There have been indications that such shelling has caused casualties and damage. Outside Gorny Badakhshan, such shelling was carried out in the area of Pyanj, although less frequently than in the past. On two occasions, the post of the Russian border forces in the Moskovskiy district was attacked by rocket fire from Afghan territory, resulting in casualties.

14. A tense situation developed at the end of June in the Garm district, involving a series of killings and clashes between local armed groups and government security forces. In early July, the Joint Commission carried out investigations. UNMOT intervened actively with the authorities at Garm and Dushanbe and with the local leaders and the opposition leadership at Taloqan (northern Afghanistan) in order to stabilize the situation. This was achieved by the end of July.

15. In Kurgan-Tyube, a conflict developed in June following the assassination of a commander of the security forces and the subsequent arrest by those forces of a delegate to the regional parliament. A brigade was deployed to the area by the Ministry of Defence and after intense negotiations the situation was brought under control. The negotiations were led by a field officer of the Office of the United Nations High Commissioner for Refugees (UNHCR) who was stationed at Kurgan-Tyube and was assisted by UNMOT. However, tension persisted between the first and eleventh brigades of the Tajik army, including a lengthy exchange of fire on 1 September. The Government has announced that both brigades are to be withdrawn from the area.

Joint Commission

16. As decided by the two parties during the high-level meeting in Moscow in April 1995, the Joint Commission was expanded to 14 members. Four members are permanently located in Gorny Badakhshan, two in Khorog and two in Vanj.

17. From mid-June to mid-August, UNMOT, through the Joint Commission and with the participation of the International Committee of the Red Cross (ICRC), pursued vigorously the exchange of prisoners agreed at Almaty in May. However, the Joint Commission was deadlocked on the lists of prisoners to be exchanged from each side and in mid-August both sides decided to defer the matter to their respective leaderships. On the Government's initiative, the Joint Commission reverted to the matter in early September but, so far, without result.

18. UNMOT continued to assist the Joint Commission actively in its work by facilitating its meetings and administering the voluntary trust fund established to support its activities. The Commission continues to be hampered by lack of office space and logistic support, which is to be provided by the Government. Pending resolution of the problem, UNMOT has made its premises available for the Commission's meetings.

Organizational aspects

19. As at 31 August 1995, UNMOT personnel numbered 87 overall, including its full complement of 40 military observers drawn from Austria (6), Bangladesh (7), Bulgaria (4), Denmark (4), Jordan (6), Poland (2), Switzerland (3), Ukraine (3) and Uruguay (5). Mr. Darko Silovic continued as Head of Mission. Brigadier-General Hasan Abaza (Jordan) continued as Chief Military Observer. In addition to its headquarters in Dushanbe, UNMOT maintained teams in Garm, Kalaikhumb, Khorog, Kurgan-Tyube, Moskovskiy and Pyanj; an additional team was stationed in August in Vanj (see attached map).

20. During the meetings of my Special Envoy with the President of the Islamic State of Afghanistan, Mr. Burhamuddin Rabbani, and the Foreign Minister, Mr. Najibullah Lafraie, in August, the Afghan officials agreed that UNMOT could open a small liaison post in Taloqan (northern Afghanistan) with the exclusive task of dealing with the Tajik problem. The Secretariat is in touch with the Afghan authorities to discuss the modalities, including the question of the status of UNMOT personnel. With reference to paragraph 12 of resolution 999 (1995), I propose that the Security Council authorize me to establish the liaison post once the discussions with the Afghan authorities have been concluded.

21. As a result of the establishment of the posts in Vanj and Taloqan, as well as a significant increase in the overall volume of work, UNMOT capacity is being severely stretched and needs to be strengthened. I intend therefore to seek the necessary budgetary authority for a small increase in UNMOT staff of five military observers and three civil affairs officers.

IV. OBSERVATIONS

22. The results of the meting between President Rakhmonov and Mr. Nuri at Tehran and, in particular, of their indirect talks through the good offices of my Special Envoy are a substantive stage in the process of restoration of peace and national reconciliation in Tajikistan. The protocol on the fundamental principles for establishing peace and national accord in Tajikistan serves as an important framework for the continuous negotiation on a comprehensive peace agreement, and the extension of the cease-fire agreement for another six months provides the parties with sufficient time. I should like to express my appreciation to the countries acting as observers at the inter-Tajik talks, which significantly contributed to reaching the above agreements between the Tajik parties.

23. The signing of the protocol and the extension of the cease-fire agreement for another six months are clear proof that the Tajik sides want to resolve their problems peacefully. However, in view of the continued breaches in the implementation of the Tehran Agreement, I call on the parties to comply strictly with the obligations assumed under this Agreement, including the cessation of all acts of violence on the Tajik-Afghan border and within the country.

24. It is of paramount importance now not to lose momentum in the negotiating process and to resume the talks in the new format as soon as possible. In view

of the continued differences between the two sides on the issue of venue, I suggest holding them at United Nations premises at Vienna. I have taken note of the positive reply of the Tajik opposition to this proposal and hope that the Government will also accept it. I have instructed my Special Envoy to undertake the necessary consultations as soon as possible with the Tajik parties and others concerned.

25. I am very concerned about the delays in the implementation of the important confidence-building measures agreed upon during the fourth round of inter-Tajik talks at Almaty. Further inaction of the two sides may undermine the credibility of the whole negotiating process and negatively impact the prospects for progress on substantive political and institutional issues. I appeal to President Rakhmonov and Mr. Nuri to undertake the necessary steps for the early implementation of the confidence-building measures.

26. The inter-Tajik negotiations have entered their most complicated and decisive phase, when the fundamental political problems are to be addressed. Therefore, no time should be lost. Any pretexts that could lead to delays might have grave consequences. In this context, I wish to emphasize that the primary responsibility for resolving their differences rests with the Tajik parties themselves, who are responsible for the future of their country.

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